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June 26, 2019

**VIA ECF AND EMAIL**

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Honorable Analisa Torres  
United States District Court Judge  
USDC, Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St., Courtroom 15D  
New York, New York 10007

**Re: *Yesh Music, LLC et al. v. SoundHound, Inc.*, Docket No. 1:19-cv-04299-AT  
Unopposed Request to Extend Defendant SoundHound's Time to Answer, Move, or  
Respond to the Complaint**

Dear Judge Torres:

This week, defendant SoundHound, Inc. retained our law firm, Quinn Emanuel Urquhart & Sullivan, to represent it in the above-captioned action. In view of the change of counsel and to allow us to comply with this Court's pre-motion procedures regarding motions to dismiss, we request a limited 15-day extension of time to file SoundHound's response to the Complaint, which is currently due Wednesday, July 3, 2019. *See* ECF 11. Plaintiffs do not oppose the requested extension.

While our investigation is on-going, SoundHound believes that dismissal is appropriate for at least two reasons: the Complaint fails to state a claim and SoundHound is not subject to personal jurisdiction here. The conduct at issue in this case relates to alleged efforts by SoundHound users to play Plaintiffs' songs on the video streaming platform YouTube. However, the manner in which the SoundHound application allows users to find and play songs on YouTube is authorized by YouTube's Terms of Service, to which both SoundHound and Plaintiffs have agreed. Thus, as a matter of law, SoundHound's use, if any, is *authorized* and not copyright infringement. Moreover, Plaintiffs have not alleged facts to substantiate their bare assertion that SoundHound, a Delaware company with its principal place of business in Santa

**quinn emanuel urquhart & sullivan, llp**

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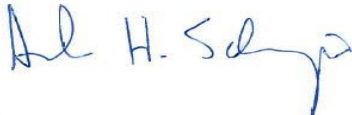
Clara, California, has any relevant contacts with this jurisdiction. Indeed, Plaintiffs have not specifically alleged even a single act of infringement in this jurisdiction.

To permit SoundHound to complete its investigation, continue its good faith meet and confer negotiations with Plaintiffs, and to comply with the Court's Individual Rules of Practice, Rule III.B, for motions to dismiss, SoundHound respectfully requests a 15-day extension to the current deadline to answer, move, or otherwise respond to Plaintiffs' Complaint, which is presently due on Wednesday, July 3, 2019. *See* ECF 11. Pursuant to Rule III.B, SoundHound intends to send its initial pre-motion letter to Plaintiffs by no later than Monday, July 1, 2019, which would give Plaintiffs until Monday, July 8, 2019 to respond. Thereafter, if the parties are unable to resolve their dispute, SoundHound will file the second set of pre-motion letters as required by Rule III.B.iii no later than July 18, 2019.

SoundHound, through its prior counsel, made one previous request for an extension of time. ECF 10. The Court granted in part and denied in part SoundHound's previous request. *See* ECF. 11. SoundHound notes that the Court has set the initial pretrial conference for July 10, 2019. While SoundHound reserves the right to argue that jurisdiction and venue are improper in this matter, it is amenable to appearing at the conference without waiving its jurisdictional arguments and defenses. No other dates have been set by the Court or will be adversely impacted by SoundHound's request for an extension of time. No prejudice will accrue to Plaintiffs as a result of the requested extension.

Based on the foregoing, SoundHound respectfully requests the Court extend its date to answer, move, or otherwise respond to the Complaint up to and including July 18, 2019.

Best Regards,

A handwritten signature in blue ink, appearing to read "Al H. Schapiro".

Andrew Schapiro